

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7657 of 2019

Arising Out of PS. Case No.-664 Year-2018 Thana- ARARIA District- Araria

Hannan @ Hennan, 26 Years, Male, S/o Alimuddin @ Kalimuddin, Resident of village-Jagir Basti, Ward No.18, P.S-Araria, Distt.-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2019 Heard learned counsel for the petitioner and the State.

The petitioner is languishing in custody since 26.10.2018 in a case registered for the offences punishable under Sections 341, 323 and 379/34 of the IPC.

The prosecution case is that on 2.10.2018 the informant, being the employee of Ganpati Drugs whole sale medicine shop was carrying Rs.81,000/- after collecting from various retail shops and as soon as he reached near station road then the petitioner and co-accused Battu snatched the bag containing Rs.81000/- and fled away from the place of occurrence.

It is submitted by learned counsel for the petitioner that there is no recovery made from the conscious physical possession of the petitioner. The petitioner and the informant are known to each other and in the back of earlier enmity, the



accusation has been against the petitioner. It is further submitted that similarly situated co-accused Battu has been granted bail by a Co-ordinate Bench of this Court vide order dated 23.01.2019 passed in Cr. Misc. No.2894 of 2019. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioner.

Considering the fact that there is no recovery made from the conscious physical possession of the petitioner and similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned **CJM, Araria** in connection with **Araria P.S. Case No.664 of 2018.**

(Dinesh Kumar Singh, J)

Rahul/sunilkumar/-

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